

PROPOSED CHANGES TO OVERTIME AND PTO COMPENSATION PROVISIONS
by Councilmember Conrad

3.04 ON-CALL DUTY

As noted in the section above, the City provides some services to its citizens twenty-four (24) hours a day, seven (7) days a week; thus, it is necessary that an employee be available to respond to trouble calls which may arise after normally scheduled working hours. To the extent possible, on-call duty will be spread out between all of the properly trained field level employees. An on-call employee is authorized to trade on-call duties with another qualified employee. Employees serving as on-call for their department will receive an additional \$20 per day plus time worked. **A minimum of two (2) hours pay shall be paid for responses to trouble calls after normally scheduled working hours.** While on-call, an employee is allowed to go out to eat and attend to other personal affairs, but must:

- (a) Keep his/her cell phone where it can be heard and answered; and
- (b) Respond to any call which warrants a response within thirty (30) minutes after receiving the call.

~~**3.05 EMERGENCY DUTY PAY**~~

~~Non-exempt employees who are called back to work in emergencies or who are on-call and return to duty to respond to an after hours trouble call shall receive overtime rate for all time worked. A minimum of two (2) hours of pay shall be paid for any call back time worked.~~

~~**3.05 NON-SHIFT PAY**~~

~~An employee who does not qualify for overtime pay shall receive Non-Shift Pay at a rate of one and one half (1 ½) times the employee's regular pay when the employee works unscheduled hours and it is:~~

- A City Holiday;
- A weekend; or
- Between the hours of 7 p.m. or 6 a.m.

~~This Non-Shift Pay provision does not apply to scheduled or on-call hours.~~

3.06 OVERTIME

- (a) Non-exempt Employees. All employees, except supervisors, **police personnel** (pursuant to the exemption found in Section 13(b)(20) of the Fair Labor Standards Act [FLSA] for police departments with less than 5 employees) and any other employees determined by the City Administrator to be exempt in accordance with the ~~Fair Labor~~

~~Standards Act (FLSA)~~ are eligible to receive overtime pay in accordance with the FLSA. When practical, overtime is to be avoided. Except in emergency situations or extenuating circumstances, overtime must be allocated in the budget and pre-approved by an employee's supervisor. Overtime shall be allocated as evenly as possible among all employees qualified to perform the work. Overtime pay, at a rate of one and one half (1 ½) times the employee's regular pay, will be paid for all time ~~credited~~ **actually worked** over forty (40) hours per ~~pay~~ week, unless such employees are exempt from overtime pay. ~~Holiday and PTO time does qualify as time credited.~~ All overtime work must be clearly reflected on the employee's time records before it is allowed.

5.02 PERSONAL TIME OFF

- (g) PTO may be accumulated up to two hundred and forty (240) hours into a PTO "Bank" to carry over from year to year. No more than two hundred and forty (240) hours PTO may carry over. Any accumulated PTO hours exceeding two hundred and forty (240) hours will be lost by the employee each year on the employee's anniversary of hire date. The City will compensate an employee for up to, but no more than, forty (40) PTO hours lost due to this provision at a rate of ~~twenty five cents (\$0.25)~~ **fifty cents (\$0.50)** on the dollar (\$1.00) for the value of the lost hours.